

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUILDING SERVICE PENSION TRUST et al.,

Plaintiffs,

V.

SBM SITE SERVICES, LLC.

Defendant.

C15-1198 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Defendant's motions to strike evidence from Sergio Salinas, Blair Fowler, Robert Kendrick, and Michael Monaco, *see* Def.'s Reply, docket no. 45 at 10-12 & Def.'s Opp'n, docket no. 49 at 21-23, are DENIED in part and DEFERRED in part as follows. The Court DEFERS its ruling with respect to the final sentence of paragraph three of the Declaration of Robert Kendrick, which provides “[a]ccordingly, Capitol's employees were paid less than the wages SBM was required to pay its employees under the terms of the contract SBM already had with the Union.” Decl. of Robert Kendrick, docket no. 38 at ¶ 3. Otherwise, defendant's motions to strike evidence, docket nos. 45 & 49, are DENIED.

(2) Defendant's motion to strike Exhibit D to the Third Declaration of Michael Monaco and any reference thereto, *see* Def.'s Surreply, docket no. 55, is DENIED.

1 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
2 record.

3 Dated this 23rd day of January, 2017.

4 William M. McCool

5 Clerk

6 s/Karen Dews

7 Deputy Clerk